

Montgomery County Board of Elections

Key Provisions of Election Legislation Passed by the General Assembly in the 2019 Legislative Session

April 15, 2019

Election Day Registration. SB449/HB286 (both passed). Last year, voters passed a constitutional amendment authorizing the General Assembly to provide for qualified voters to register and cast a ballot on Election Day. As amended, the final version of the legislation allows a new voter – some one who does not appear on the list of registered voters at all – to appear in person at a polling place with proof of residency and cast a ballot. The voting process remains the same as it was previously for voters who want to make a change to their registration. Previously registered voters cannot change their party affiliation within 21 days of Election Day. While voters may change their address at Early Voting and cast a ballot in the scanner – as under previous law – they must vote by provisional ballot if they appear at a polling place on Election Day other than the one where they are registered in the pollbook.

Local Option for One Additional Early Voting Site. (HB237). The original text of this bill extended the hours of early voting. That language was removed from the final version of the bill and it instead incorporated language from the third reading version of HB 79 allowing the State Board of Elections to authorize one additional early voting site in each county, if the local board and the governing body of the county agree to establish an additional early voting center.

Ballot Preparation. SB1004 (passed) and HB 176 (passed). Senate Bill 1004 changes numerous candidate and petition filing deadlines and shifts the calendar for preparation of the ballot so that the deadline for the State Board of Elections to certify the content and arrangement of the ballot is changed from 55 to 64 days prior to an election. It also amends procedures and requirements related to a candidate's residency, the death of a candidate, and judicial review of the content and arrangement of the ballot. It also specifies that the State Administrator of Elections shall determine what measures a local board may take to notify voters of any error or change in circumstances after the printing of ballots has begun, and the manner in which the voters may cast valid ballots for that election. House Bill 176 codifies the requirements for candidates nominated by a new political party and for the State Administrator of elections to establish satellite locations to receive certificates of candidacy.

Repeal of Extended Hours for Voter Registration Deadline. HB 172 (passed). Repeals a requirement that local Boards of Elections remain open until 9pm on the date of the voter registration deadline. Local Boards remain required to stay open until 9pm on the candidate filing deadline, but the deadline for applications and changes to voter registration records submitted by a method other than through SBE's online voter registration system is shifted to 5:00 p.m. For online transactions, the deadline remains 11:59 pm. Initially, HB172 included

requirements related to the handling of voter registration records and data breaches, but this text was removed from the bill.

Foreign Ownership of Election Service Providers. SB 743 (passed). Prohibits the State Board of Elections from approving a contract with an election service provider unless the contract includes a clause regarding notice of ownership, investment or control of the provider by a foreign national, and authorizes termination of contracts for foreign ownership by the State Administrator of Elections.

Use of Social Security Numbers. (HB174). To request or receive an absentee ballot electronically, voters must have a Maryland driver's license or identification card. There was an exception for overseas voters and voters with a disability, but under the law they were required to provide their full Social Security number. This bill eliminates that requirement and allows such voters to provide only the last four digits of their Social Security number.

Daily Reporting of Canvass Results. (SB230). While it is standard practice in Montgomery County to report canvass results daily, the standard practice statewide has been to release only full results for each canvass. This legislation will require daily reporting of results, which will result in Montgomery County's daily canvass results showing up on the state website earlier than they have in the past.

Membership of Local Boards of Elections. (SB651). This bill increased the size of other county Boards across the state so that every Board now has five regular members. Only Montgomery and Prince George's counties will now also have substitute members.

Video Streaming of SBE Meetings. (SB184/HB71). As passed, the legislation requires an agenda to be made available at least 24 hours in advance of each meeting and requires live video streaming of open meetings, which a video archive to be maintained for a minimum of four years after each meeting. It requires the state Department of Information Technology to provide technical staff, support and equipment necessary to stream live video of the open meetings of the State Board of Elections. It cites as a model the broadcast system used by the Board of Public Works, which it notes involves a multicamera unit and a subscription to a live video platform service. The fiscal note estimates a cost of \$8,800 in general fund expenditures in FY 202 and \$6,800 annually after that. It includes the cost of two wide-angle cameras and microphones, live streaming, storage, closed captioning and support.

High School Election Page Program. (SB364). This bill establishes a voluntary high school election page program, with regulations and a training program to be developed by the State Board, that would be voluntary for local Boards. The legislation was modeled after, but is separate from, Montgomery County's Future Vote Program, and is only for high school students who are at least age 14. The majority of Montgomery County's Future Vote Program participants are younger than age 14.